

Practitioner's Docket No. 13257.00036

## IN THE UNITED STATES DESIGNATED OFFICE (DO/US)

US99/25477	29 October 1999 (29.10.99)	31 October 1998 (31.10.98)
International Application Number	International Filing Date	International Earliest Priority Date

TITLE OF INVENTION: A Myeloid Precursor Cell Useful for Gene Therapy and for modulation of Immune Responses

APPLICANT FOR DO/US: RON, Yacov; DOUGHERTY, Joseph P.; CHEN, Chiann-Chyi

Box PCT  
Assistant Commissioner for Patents  
Washington, D.C. 20231  
ATTENTION: DO/US

COMPLETION OF FILING REQUIREMENTS  
FOR INTERNATIONAL APPLICATION ENTERING NATIONAL  
STAGE IN U.S. DESIGNATED OFFICE (DO/US) UNDER 35 U.S.C. section 371

CERTIFICATION UNDER 37 C.F.R. section 1.10\*

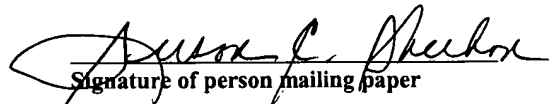
(Express Mail label number is **mandatory**.)

(Express Mail certification is **optional**.)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service 7/30/01, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

(type or print name of person mailing

EL582442995US)

  
Signature of person mailing paper

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. section 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b).  
"Since the filing of correspondence under [section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

This replies to the Notice of Missing Requirements under 35 U.S.C. section 371 and 37 C.F.R. section 1.494 (FORM PCT/DO/EO/905).

A copy of FORM PCT/DO/EO/905 accompanies this response.

### **DECLARATION OR OATH**

**I.** No original declaration or oath was filed. Enclosed is the original declaration or oath for this application.

### **FEES**

#### **II.**

##### **1. Fees for claims**

Each independent claim in excess of 3	\$ 0.00
Each claim in excess of 20	\$ 0.00
Multiple dependent claim(s)	\$ 0.00

##### **2. Surcharge fees**

Surcharge set forth in Section 1.492(e), for accepting the declaration later than 20 months after the priority date in filing an application in the U.S. as a designated office

\$ 65.00

**Total fees \$ 65.00**

### **SMALL ENTITY STATUS**

**III.** Applicants are entitled to small entity status.

### **EXTENSION OF TIME**

**IV.** The proceedings herein are for a patent application. The provisions of 37 C.F.R. section 1.136(a) apply.

Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. section 1.17(a)(1)-(4), for one months.

**Fee \$ 55.00**

**TOTAL FEE DUE**

V. The total fee due is:

Completion fee(s)	\$ 65.00
Extension fee (if any)	\$ 55.00
<b>TOTAL FEE DUE</b>	<b>\$ 120.00</b>

**PAYMENT OF FEES**

VI. Enclosed is a check in the amount of \$ 120.00.

**AUTHORIZATION TO CHARGE ADDITIONAL FEES**

The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper, and during the entire pendency of this application, to Account No. \*\*\*B02-TE Deposit Account Number 50-1089.

37 C.F.R. sections 1.492(a)(2), 1.492(a)(3), or 1.492(a)(5) (filing fees)

37 C.F.R. section 1.492(b) (presentation of extra claims)

37 C.F.R. section 1.17 (application processing fees)

37 C.F.R. section 1.17(a)(1)-(5) (extension fees pursuant to Section 1.136(a))

Date:

7/30/01

08/02/2001 UEDUVIJE 00000072 09830176

01 FC:215

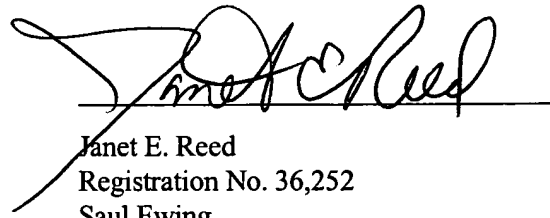
55.00 OP

Repln. Ref: 08/02/2001 UEDUVIJE 0008515600

DAH:501089 Name/Number:09830176

FC: 704

\$40.00 CR

  
Janet E. Reed  
Registration No. 36,252  
Saul Ewing  
1500 Market Street, 38th Floor  
Centre Square Bldg. West  
Philadelphia, PA 19102  
215-972-8386



UNITED STATES PATENT AND TRADEMARK OFFICE

10 Res't PCT/PTO

30 JUL 2001

MAY 24 2001

RECEIVED  
IP GROUPMissing Reg & Seg.  
Due

SAULEWING LLP

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/830176	SAULEWING LLP YACOV	13257-00040
INTERNATIONAL APPLICATION NO.		
PCT/US99/25477		
I.A. FILING DATE		PRIORITY DATE
29 OCT 99		31 OCT 98

JANET E REED  
1500 MARKET STREET 38TH FLOOR  
CENTRE SQUARE WEST  
PHILADELPHIA, PA 19102

DATE MAILED

21 MAY 2001

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.   | <input checked="" type="checkbox"/> Indication of Small Entity Status.              |
| <input checked="" type="checkbox"/> Copy of the international application.   | <input type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventors(s).  | <input type="checkbox"/> Translation of Article 19 amendments into English.         |
| <input type="checkbox"/> Copy of Article 19 amendments.  | <input checked="" type="checkbox"/> Other: ISA/210, IB 306                          |
| <input type="checkbox"/> Priority Document.  |   |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. |   |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English.        |   |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☒ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed: ☐ PCT/DO/EO/917  
☐ PTO-875

☐ Notice of Defective Translation  
☒ PCT/DO/EO/920

Christine S. Washington

FORM PCT/DO/EO/905 (March 2001)

Telephone: 703-305-3752



10 AUG 2001 3 0 JUL 2001

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/830176	YACOV	R 13257-00040
INTERNATIONAL APPLICATION NO.		
PCT/US99/25477		
I.A. FILING DATE		PRIORITY DATE
29 OCT 99		31 OCT 98

JANET E REED  
1500 MARKET STREET 38TH FLOOR  
CENTRE SQUARE WEST  
PHILADELPHIA, PA 19102

DATE MAILED: 21 MAY 2001

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- ☒ The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- ☐ This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- ☒ A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
- ☐ A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ Other: \_\_\_\_\_

**APPLICANT MUST PROVIDE:**

- ☒ An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- ☒ An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☒ A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE  
CALL:

(703) 308-4216, for Rules interpretation,  
(703) 308-4212, for CRF submission help,  
(703) 287-0200, for PatentIn software help.

Christine S. Washington  
Telephone: 703-305-3752

09/830176

10 REST RETAINED 30 JUL 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of ) Int'l Appl. No.: US99/25477  
Ron et al. )  
Application No. 09/830,176 ) Int'l Filing Date: 29 Oct 1999  
Filing Date: April 23, 2001 )  
For: A Myeloid Precursor Cell Useful for )  
Gene Therapy and for Modulation of )  
Immune Responses )

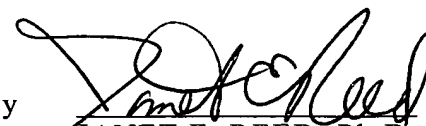
SUBMISSION OF SEQUENCE LISTING

An Notification to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures was issued on May 21, 2001 in connection with the above-referenced international patent application. A copy of the Notice is enclosed herewith. Applicants were given two months to respond to the Notice.

To comply with the requirements, submitted herewith is a computer-readable form of a sequence listing in connection with the above-identified patent application. A paper form of the sequence listing was included with the application as filed. The undersigned attorney hereby verifies that the sequences disclosed in the paper form are the same as the corresponding sequences disclosed in the computer-readable form, and that no new matter has been added to the specification by the submission of this sequence listing.

Respectfully submitted,

SAUL Ewing, L.L.P.

By 

JANET E. REED, Ph.D.

PTO Registration No. 36,252

Telephone: (215) 972-8386  
Facsimile: (215) 972-2292

09/830176-042301